

**Proposed Substitute
Bill No. 1011**

LCO No. 5239

AN ACT CONCERNING THE TRAINING OF SECURITY PERSONNEL.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-161q of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2015*):

3 (a) Any security service or business may employ as many security
4 officers as such security service or business deems necessary for the
5 conduct of the business, provided such security officers are of good
6 moral character and at least eighteen years of age.

7 (b) (1) No person hired or otherwise engaged to perform work as a
8 security officer, as defined in section 29-152u, shall perform the duties
9 of a security officer prior to being licensed as a security officer by the
10 Commissioner of Emergency Services and Public Protection. Each
11 applicant for a license shall complete a minimum of ~~[eight]~~ sixteen
12 hours training in the following areas: Basic first aid, search and seizure
13 laws and regulations, use of force, basic criminal justice, ~~[and]~~ public
14 safety issues, use of baton, nightstick and pepper spray, emergency
15 response procedures and ethical considerations. The commissioner
16 shall waive such training for any person who, (A) while serving in the
17 armed forces or the National Guard, or (B) if such person is a veteran,
18 within two years of such person's discharge from the armed forces,

19 presents proof that such person has completed military training that is
20 equivalent to the training required by this subsection, and, if
21 applicable, such person's military discharge document or a certified
22 copy thereof. For the purposes of this subsection, "veteran" means any
23 person who was discharged or released under conditions other than
24 dishonorable from active service in the armed forces, "armed forces"
25 has the same meaning as provided in section 27-103, and "military
26 discharge document" has the same meaning as provided in section 1-
27 219. The training shall be approved by the commissioner in accordance
28 with regulations adopted pursuant to section 29-161x.

29 ~~[(1)]~~ (2) On and after October 1, 2008, no person or employee of an
30 association, corporation or partnership shall conduct such training
31 without the approval of the commissioner except as provided in
32 subdivision ~~[(2)]~~ (3) of this subsection. Application for such approval
33 shall be submitted on forms prescribed by the commissioner and
34 accompanied by a fee of forty dollars. Such application shall be made
35 under oath and shall contain the applicant's name, address, date and
36 place of birth, employment for the previous five years, education or
37 training in the subjects required to be taught under this subsection, any
38 convictions for violations of the law and such other information as the
39 commissioner may require by regulation adopted pursuant to section
40 29-161x to properly investigate the character, competency and integrity
41 of the applicant. No person shall be approved as an instructor for such
42 training who has been convicted of a felony, a sexual offense or a crime
43 of moral turpitude or who has been denied approval as a security
44 service licensee, a security officer or instructor in the security industry
45 by any licensing authority, or whose approval has been revoked or
46 suspended. The term for such approval shall not exceed two years. Not
47 later than two business days after a change of address, any person
48 approved as an instructor in accordance with this section shall notify
49 the commissioner of such change and such notification shall include
50 both the old and new addresses.

51 ~~[(2)]~~ (3) If a security officer training course described in this
52 subsection is approved by the commissioner on or before September

53 30, 2008, the instructor of such course shall have until April 1, 2009, to
54 apply for approval as an instructor in accordance with subdivision
55 [(1)] (2) of this subsection.

56 [(3)] (4) Each person approved as an instructor in accordance with
57 this section may apply for the renewal of such approval on a form
58 approved by the commissioner, accompanied by a fee of forty dollars.
59 Such form may require the disclosure of any information necessary for
60 the commissioner to determine whether the instructor's suitability to
61 serve as an instructor has changed since the issuance of the prior
62 approval. The term of such renewed approval shall not exceed two
63 years.

64 (c) (1) Not later than two years after successful completion of the
65 training required pursuant to subsection (b) of this section, or the
66 waiver of such training, the applicant may submit an application for a
67 license as a security officer on forms furnished by the commissioner
68 and, under oath, shall give the applicant's name, address, date and
69 place of birth, employment for the previous five years, experience in
70 the position applied for, including military training and weapons
71 qualifications, any convictions for violations of the law and such other
72 information as the commissioner may require, by regulation, to
73 properly investigate the character, competency and integrity of the
74 applicant. Applicants shall submit with their application two sets of
75 fingerprints of the employee and the Commissioner of Emergency
76 Services and Public Protection shall require any applicant for a license
77 under this section to submit to state and national criminal history
78 records checks conducted in accordance with section 29-17a.
79 Applicants shall submit with their application two sets of their
80 fingerprints and two full-face photographs of them, two inches wide
81 by two inches high, taken not earlier than six months prior to the date
82 of application, and a one-hundred-dollar licensing fee, made payable
83 to the state. Applicants who received a waiver as provided in
84 subsection (b) of this section shall be exempt from payment of such
85 licensing fee. Subject to the provisions of section 46a-80, no person
86 shall be approved for a license who has been convicted of a felony, any

87 sexual offense or any crime involving moral turpitude, or who has
88 been refused a license under the provisions of sections 29-161g to 29-
89 161x, inclusive, for any reason except minimum experience, or whose
90 license, having been granted, has been revoked or is under suspension.
91 Upon being satisfied of the suitability of the applicant for licensure, the
92 commissioner may license the applicant as a security officer.

93 (2) Each licensee shall complete a minimum of sixteen hours of
94 continuing training every five years. Such five-year period shall
95 commence on the first date of renewal of the licensee's license after
96 January 1, 2016. Such training shall reflect the educational needs of the
97 licensee and account for changes and developments in search and
98 seizure laws and regulations, criminal justice and public safety issues.
99 Each licensee shall obtain a certification of completion from the
100 provider of continuing training for all continuing training hours
101 successfully completed. Each licensee shall maintain such written
102 documentation for a minimum of five years following the license
103 renewal date for which the activity satisfies continuing training
104 requirements. Each licensee shall submit a certificate of completion to
105 the Department of Emergency Services and Public Protection not later
106 than thirty days after a request by the department.

107 (3) [Such] Any license [shall] may be renewed every five years [for]
108 by the commissioner provided the licensee (A) submits an application
109 for renewal for a license as a security officer on forms furnished by the
110 commissioner, (B) satisfies the continuing training requirements
111 pursuant to subdivision (2) of this subsection, and (C) submits a one-
112 hundred-dollar renewal fee.

113 (d) Upon the security officer's successful completion of training and
114 licensing by the commissioner, or immediately upon hiring a licensed
115 security officer, the security service employing such security officer
116 shall apply to register such security officer with the commissioner on
117 forms provided by the commissioner. Such application shall be
118 accompanied by payment of a forty-dollar application fee payable to
119 the state. The Division of State Police within the Department of

120 Emergency Services and Public Protection shall keep on file the
121 completed registration form and all related material. An identification
122 card with the name, date of birth, address, full-face photograph,
123 physical descriptors and signature of the applicant shall be issued to
124 the security officer, and shall be carried by the security officer at all
125 times while performing the duties associated with the security officer's
126 employment. Registered security officers, in the course of performing
127 their duties, shall present such card for inspection upon the request of
128 a law enforcement officer.

129 (e) The security service shall notify the commissioner not later than
130 five days after the termination of employment of any registered
131 employee.

132 (f) Any fee or portion of a fee paid pursuant to this section shall not
133 be refundable.

134 (g) No person, firm or corporation shall employ or otherwise engage
135 any person as a security officer, as defined in section 29-152u, unless
136 such person is a licensed security officer.

137 (h) Any person, firm or corporation that violates any provision of
138 subsection (b), (d), (e) or (g) of this section shall be fined seventy-five
139 dollars for each offense. Each distinct violation of this section shall be a
140 separate offense and, in the case of a continuing violation, each day
141 thereof shall be deemed a separate offense.

142 Sec. 2. Subsection (b) of section 29-161z of the general statutes is
143 repealed and the following is substituted in lieu thereof (*Effective*
144 *October 1, 2015*):

145 (b) The Commissioner of Emergency Services and Public Protection
146 may grant to any suitable employee of a licensed security service, or to
147 an employee hired by a firm or corporation to perform work as a
148 uniformed or nonuniformed security officer, a special permit to carry a
149 pistol or revolver or other firearm while actually on duty on the
150 premises of the employer, or, while directly en route to or from such

151 employment, provided that such employee has proven to the
152 satisfaction of the commissioner that such employee has successfully
153 completed a course, approved by the commissioner, of training in the
154 safety and use of firearms that is at least sixteen hours in duration. The
155 commissioner may grant to such employee a temporary permit
156 pending issuance of the permit, provided such employee has
157 submitted an application and successfully completed such training
158 course immediately following employment. All armed security officers
159 shall complete such safety course and yearly complete a refresher
160 safety course approved by the commissioner that is at least eight hours
161 in duration. The commissioner shall adopt regulations in accordance
162 with the provisions of chapter 54 concerning the approval of schools,
163 institutions or organizations offering such courses, requirements for
164 instructors and the required number of hours and content of such
165 courses.

166 Sec. 3. Section 29-38 of the general statutes is repealed and the
167 following is substituted in lieu thereof (*Effective October 1, 2015*):

168 (a) Any person who knowingly has, in any vehicle owned, operated
169 or occupied by such person, any weapon, any pistol or revolver for
170 which a proper permit has not been issued as provided in section 29-28
171 or any machine gun which has not been registered as required by
172 section 53-202, shall be guilty of a class D felony, and the presence of
173 any such weapon, pistol or revolver, or machine gun in any vehicle
174 shall be prima facie evidence of a violation of this section by the
175 owner, operator and each occupant thereof. The word "weapon", as
176 used in this section, means any BB. gun, any blackjack, any metal or
177 brass knuckles, any police baton or nightstick, any dirk knife or switch
178 knife, any knife having an automatic spring release device by which a
179 blade is released from the handle, having a blade of over one and one-
180 half inches in length, any stiletto, any knife the edged portion of the
181 blade of which is four inches or more in length, any martial arts
182 weapon or electronic defense weapon, as defined in section 53a-3, or
183 any other dangerous or deadly weapon or instrument.

184 (b) The provisions of this section shall not apply to: (1) Any officer
185 charged with the preservation of the public peace while engaged in the
186 pursuit of such officer's official duties; (2) any security [guard] officer,
187 as defined in section 29-152u, having a baton or nightstick in a vehicle
188 while engaged in the pursuit of such [guard's] officer's official duties;
189 (3) any person enrolled in and currently attending a martial arts
190 school, with official verification of such enrollment and attendance, or
191 any certified martial arts instructor, having any such martial arts
192 weapon in a vehicle while traveling to or from such school or to or
193 from an authorized event or competition; (4) any person having a BB.
194 gun in a vehicle provided such weapon is unloaded and stored in the
195 trunk of such vehicle or in a locked container other than the glove
196 compartment or console; and (5) any person having a knife, the edged
197 portion of the blade of which is four inches or more in length, in a
198 vehicle if such person is (A) any member of the armed forces of the
199 United States, as defined in section 27-103, or any reserve component
200 thereof, or of the armed forces of the state, as defined in section 27-2,
201 when on duty or going to or from duty, (B) any member of any
202 military organization when on parade or when going to or from any
203 place of assembly, (C) any person while transporting such knife as
204 merchandise or for display at an authorized gun or knife show, (D)
205 any person while lawfully removing such person's household goods or
206 effects from one place to another, or from one residence to another, (E)
207 any person while actually and peaceably engaged in carrying any such
208 knife from such person's place of abode or business to a place or
209 person where or by whom such knife is to be repaired, or while
210 actually and peaceably returning to such person's place of abode or
211 business with such knife after the same has been repaired, (F) any
212 person holding a valid hunting, fishing or trapping license issued
213 pursuant to chapter 490 or any saltwater fisherman while having such
214 knife in a vehicle for lawful hunting, fishing or trapping activities, or
215 (G) any person participating in an authorized historic reenactment.

216 Sec. 4. Section 29-136a of the general statutes is repealed and the
217 following is substituted in lieu thereof (*Effective October 1, 2015*):

218 (a) A patron of an amusement, as defined in section 29-133, or of a
219 public amusement park, as described in section 29-129, shall obey the
220 patron safety regulations adopted by the Commissioner of Consumer
221 Protection pursuant to subsection (e) of section 29-136.

222 (b) A security [guard] officer, as defined in section 29-152u, or law
223 enforcement officer may detain a patron of an amusement for a
224 reasonable time for the purpose of summoning a police officer to the
225 premises of such amusement if such [guard or] officer has reasonable
226 cause to believe that the patron has violated the patron safety
227 regulations adopted by the commissioner pursuant to subsection (e) of
228 section 29-136.

229 (c) Nothing in this section shall be construed as limiting or
230 otherwise affecting the liability of the owner of an amusement or
231 relieving the owner's responsibility to provide reasonable supervision
232 of patrons.

233 Sec. 5. Section 53-205 of the general statutes is repealed and the
234 following is substituted in lieu thereof (*Effective October 1, 2015*):

235 (a) No person shall carry or possess in any vehicle or snowmobile
236 any shotgun, rifle or muzzleloader of any gauge or caliber while such
237 shotgun, rifle or muzzleloader contains in the barrel, chamber or
238 magazine any loaded shell or cartridge capable of being discharged or
239 when such muzzleloader has a percussion cap in place or when the
240 powder pan of a flintlock contains powder. As used in this subsection,
241 "muzzleloader" means a rifle or shotgun that is incapable of firing a
242 self-contained cartridge and must be loaded at the muzzle end.

243 (b) The enforcement officers of the Department of Energy and
244 Environmental Protection are empowered to enforce this section.

245 (c) The provisions of this section shall not apply to members of the
246 military departments of the government or state while on duty or
247 while traveling to or from assignments, or to enforcement officers,
248 security [guards] officers, as defined in section 29-152u, or other

249 persons employed to protect public or private property while in the
250 performance of such duties.

251 (d) Any person who violates any provision of this section shall be
252 guilty of a class D misdemeanor.

253 Sec. 6. Section 53-206 of the general statutes is repealed and the
254 following is substituted in lieu thereof (*Effective October 1, 2015*):

255 (a) Any person who carries upon his or her person any BB. gun,
256 blackjack, metal or brass knuckles, or any dirk knife, or any switch
257 knife, or any knife having an automatic spring release device by which
258 a blade is released from the handle, having a blade of over one and
259 one-half inches in length, or stiletto, or any knife the edged portion of
260 the blade of which is four inches or more in length, any police baton or
261 nightstick, or any martial arts weapon or electronic defense weapon, as
262 defined in section 53a-3, or any other dangerous or deadly weapon or
263 instrument, shall be guilty of a class E felony. Whenever any person is
264 found guilty of a violation of this section, any weapon or other
265 instrument within the provisions of this section, found upon the body
266 of such person, shall be forfeited to the municipality wherein such
267 person was apprehended, notwithstanding any failure of the judgment
268 of conviction to expressly impose such forfeiture.

269 (b) The provisions of this section shall not apply to (1) any officer
270 charged with the preservation of the public peace while engaged in the
271 pursuit of such officer's official duties; (2) the carrying of a baton or
272 nightstick by a security [guard] officer, as defined in section 29-152u,
273 while engaged in the pursuit of such [guard's] officer's official duties;
274 (3) the carrying of a knife, the edged portion of the blade of which is
275 four inches or more in length, by (A) any member of the armed forces
276 of the United States, as defined in section 27-103, or any reserve
277 component thereof, or of the armed forces of the state, as defined in
278 section 27-2, when on duty or going to or from duty, (B) any member
279 of any military organization when on parade or when going to or from
280 any place of assembly, (C) any person while transporting such knife as

281 merchandise or for display at an authorized gun or knife show, (D)
282 any person who is found with any such knife concealed upon one's
283 person while lawfully removing such person's household goods or
284 effects from one place to another, or from one residence to another, (E)
285 any person while actually and peaceably engaged in carrying any such
286 knife from such person's place of abode or business to a place or
287 person where or by whom such knife is to be repaired, or while
288 actually and peaceably returning to such person's place of abode or
289 business with such knife after the same has been repaired, (F) any
290 person holding a valid hunting, fishing or trapping license issued
291 pursuant to chapter 490 or any saltwater fisherman carrying such knife
292 for lawful hunting, fishing or trapping activities, or (G) any person
293 while participating in an authorized historic reenactment; (4) the
294 carrying by any person enrolled in or currently attending, or an
295 instructor at, a martial arts school of a martial arts weapon while in a
296 class or at an authorized event or competition or while transporting
297 such weapon to or from such class, event or competition; (5) the
298 carrying of a BB. gun by any person taking part in a supervised event
299 or competition of the Boy Scouts of America or the Girl Scouts of
300 America or in any other authorized event or competition while taking
301 part in such event or competition or while transporting such weapon
302 to or from such event or competition; and (6) the carrying of a BB. gun
303 by any person upon such person's own property or the property of
304 another person provided such other person has authorized the
305 carrying of such weapon on such property, and the transporting of
306 such weapon to or from such property.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	29-161q
Sec. 2	<i>October 1, 2015</i>	29-161z(b)
Sec. 3	<i>October 1, 2015</i>	29-38
Sec. 4	<i>October 1, 2015</i>	29-136a
Sec. 5	<i>October 1, 2015</i>	53-205
Sec. 6	<i>October 1, 2015</i>	53-206

Section 1	<i>October 1, 2015</i>	29-161q
Sec. 2	<i>October 1, 2015</i>	29-161z(b)
Sec. 3	<i>October 1, 2015</i>	29-38
Sec. 4	<i>October 1, 2015</i>	29-136a
Sec. 5	<i>October 1, 2015</i>	53-205
Sec. 6	<i>October 1, 2015</i>	53-206